



STATE OF NEW HAMPSHIRE POSTSECONDARY EDUCATION COMMISSION

Financial Aid | College & University Approvals | Career School Licensing | Veterans State Approvals | Closed School Transcripts | Research/Studies

MINUTES OF MEETING ON MAY 14, 2009

A regular meeting of the Postsecondary Education Commission was held at 3 Barrell Court, Concord, New Hampshire at 2:00 p.m. on Thursday, May 14, 2009. The following members were present:

Helen Giles-Gee, Chair
Fr. Jonathan DeFelice, Vice Chair
Stephen Appleby
John Curran
William Farrell
Jim Fitzgerald
Mary Ellen Fleeger
Richard Gustafson
Richard Harris
Mark Huddleston
Lucille Jordan
David Mahoney
Robert Myers
Gregory Wallace

The following persons also attended: Julie Alig, Assistant Director, Commission on Institutions of Higher Education, New England Association of Schools and Colleges; James Craighow, President Emeritus/Chancellor Emeritus, Antioch University New England; Michael DeLucia, Esq., NH Department of Justice, Charitable Trusts Section; Thomas Horgan, President and CEO, NH College & University Council; Michael King, Counsel, Hellenic American University; Martha Parker, University of New Hampshire Intern; Kathryn Dodge, Executive Director, Patricia Edes, Assistant to the Executive Director and Patricia Moquin, Office Assistant; Judith Knapp, Administrator and Cynthia Capodestria, Associate, Financial Aid/Research and Studies; Lynn West, Administrator and Kimberly Kenneally, Program Assistant, Career School Licensing; Larry Elbroch, Administrator and Clifton Burdette, Associate, Veterans State Approvals; Ingrid Lemaire, Coordinator, College Access Challenge Grant; Catherine Yeager, Transcriptionist

- 1) Chair Giles-Gee called the meeting to order, welcomed everyone, and asked those present to introduce themselves.

- 2) On the motion of Vice Chair DeFelice, seconded by Ms. Jordan, the members accepted the minutes of March 12, 2009. The motion passed without dissent.
- 3) On the motion of Mr. Myers, seconded by Mr. Huddleston, the members accepted the minutes of March 26, 2009. The motion passed without dissent.
- 4) Mr. Farrell reported for the Nominating Committee. The following amended slate of officers was presented for the 2008-2010 term:

Chair (Representative of a 4-Year Public Institution): Helen Giles-Gee

Vice Chair (Representative of a 4-Year Private Institution): Fr. Jonathan DeFelice

Representative of a 2-Year Public Institution: Richard Gustafson

Representative of a Private Postsecondary Career School: Stephen Appleby

Representative of Lay Public: David Mahoney

- 5) Ms. West presented an update on Career School Licensing and circulated a report of recent activity.
- 6) Mr. Craiglow, Chair, reported on behalf of the Daniel Webster College Evaluation Team. Daniel Webster College requested approval for its acquisition by ITT Educational Services, Inc. (ITT), a for-profit institution with central offices in Carmel, Indiana. The Evaluation Team also included George Kidd, Jr., former President of Tufts University, and Executive Director Dodge. The Evaluation Team performed this evaluation in three phases: (1) review of change of ownership in February, (2) review of an Asset Purchase Agreement, and (3) preparation of a final Evaluation Report with information as updated as possible that included key administrative personnel appointments. Daniel Webster College had demonstrated financial distress and was approached by ITT and, in turn, sought change of ownership approval from the Commission, the NH Department of Justice, Charitable Trusts Section, and the Probate Court. ITT is a New York Stock Exchange entity, highly rated by "Business Week" and "Fortune" magazines and operates in 37 states. The mission and vision of ITT appeared to have a high degree of compatibility with Daniel Webster College, including very clear educational synergies, particularly from programmatic perspectives. Evidence was supplied that assured an investment in infrastructure and that a smooth transition would take place.

Michael DeLucia, Esq., spoke on behalf of the NH Department of Justice, Charitable Trusts Section. He presented a handout detailing the process an institution undertakes when moved from a non-profit to a for-profit status. For copies of the Guidebook for NH Charitable Non-Profit Organizations, contact Michael DeLucia.

The Evaluation Team recommended approval for Daniel Webster College's acquisition by ITT Educational Services, Inc. This approval was with the requirement that a site visit take place in March 2010 to specifically examine the transition, developments in governance, future plans, and a general assessment of progress (successes, issues, etc.)

Mr. Huddleston moved, seconded by Vice Chair DeFelice, to accept recommendations. The motion passed without dissent.

- 7) Chair Giles-Gee updated the Commission on Lebanon College activity. At the March 12, 2009 meeting, Lebanon College's approval to offer the Bachelor of Science in Nursing (RN to BSN) was withdrawn as Lebanon College did not meet the requirement that it hire at least one full-time nurse who had curriculum development experience at the baccalaureate level and had at least a Masters in Nursing. Chair Giles-Gee and Executive Director Dodge held an informal meeting with President Wenz and two Lebanon College board members to clarify the requirements of the Commission.

James Laffan, Esq., filed a petition with the Supreme Court appealing the Commission's decision. Lebanon College was given until June 20, 2009 to meet requirements set forth at the September 11, 2008 meeting.

Concerns were voiced regarding advertising and student awareness that the program is no longer offered.

Mr. Appleby moved, seconded by Mr. Myers, to notify Lebanon College, in writing, to cease advertising for the Bachelor of Science in Nursing (RN to BSN). If monies had been collected from interested students, evidence it had been refunded must be provided. It must also inform students who have expressed interest in the program that state approval had been withdrawn. Documentation of such must be forwarded to the Commission. If activity does not cease, the Commission would enforce its right and report the violation to the NH Department of Justice.

An update would be provided at the September 3, 2009 meeting, including results of the visit by the Accrediting Council for Independent Colleges and Schools regarding accreditation for the associate degree level.

- 8) Vice Chair DeFelice moved, seconded by Mr. Farrell, to accept the following annual reports/requests:
- a. Gallaudet University – Extension of degree-granting authority for graduate extension courses through UNH – Manchester until September 3, 2009. Mr. Huddleston abstained from the vote.
 - b. Hellenic American University – Extension of the New England Association of Schools and Colleges candidacy deadline until December 31, 2009. Mr. Gustafson abstained from the vote.
 - c. Hesser College – Annual Report for the Associate in Business Science, Associate in Early Childhood Education; Associate of Arts in Liberal Studies; Associate of Science in: Business Computer Applications, Microcomputer Support Specialist, Graphic Design, Interior Design, Medical Assisting, Paralegal, Communications; Associate of Science in Criminal Justice; Bachelor of Science in Criminal Justice;

Associate of Science in Psychology; Bachelor of Science in Psychology; Bachelor of Science in Business Administration – Concentration in Accounting; Bachelor of Science in Business Administration – Concentration in Business Administration; the assessment of the online Kaplan University programs.

- d. Massachusetts College of Pharmacy and Health Sciences – Annual Report and extension of degree-granting authority for the Post Baccalaureate Bachelor of Science in Nursing until June 30, 2012.
 - e. Massachusetts School of Law – Approval of the name, “American College of History and Legal Studies.”
 - f. McIntosh College - Extension of degree-granting authority until November 2, 2009.
 - g. Wheelock College – Annual Report for the Masters in Care and Education in Early Childhood Settings (Weekends).
- 9) Ms. Knapp presented the New Hampshire Incentive Program Payment Schedule for 2009/2010. This is the same schedule that has been in effect for the last five years. Mr. Farrell moved, seconded by Mr. Harris, to accept the 2009/2010 Payment Schedule as follows:

2009/2010 Payment Schedule for New Hampshire Incentive Program	
In-State Institutions	Out-of-State Institutions
\$1,000.00	\$500.00

- 10) Ms. Knapp presented the New Hampshire Incentive Program Expected Family Contributions (EFC) Eligibility Cutoff for 2009/2010. Unused funds from other financial aid programs where money had not been spent this year was transferred to allow the Commission to make awards to all eligible students with an EFC of 2300 or below for 2008/2009. It is anticipated that funding for 2009/2010 would be at the same, or slightly lower, level than in the current fiscal year and that the number of students with an EFC of 1000 or lower in 2009/2010 would be greater than those in 2008/2009 with an EFC of 2300 or lower. Ms. Jordan moved, seconded by Mr. Gustafson, to set the EFC cutoff this year at “0” from “2300” to guarantee that everybody deemed eligible for an award would receive the full amount, as approved in Item 9.
- 11) Executive Director Dodge presented highlights of the Executive Director Report. These included:
- a. St. John International University received legislative authority to offer degrees.
 - b. A system is now in place for communicating with colleges and universities concerning pandemic planning. Cynthia Capodestria is the lead person at the

Commission. Mr. Appleby requested career schools be included in future communications.

- 12) Due to its complexities, the Post 9-11 GI Bill and its Yellow Ribbon Program enacted by the Federal Government on August 1, 2009, increased the workload of the Veterans State Approvals function. The Post 9-11 GI Bill is complicated and must be understood before college representatives and veterans can make the correct decisions regarding its use. The Yellow Ribbon Program permits hospitals, as well as private and public degree-granting institutions to enter into an agreement with the U.S. Department of Veteran Affairs allowing cost sharing of tuition and fees which exceed the maximum tuition and fees in a state funded degree-granting institution. Our Veterans State Approval staff members remain committed to college representatives and veterans in helping them understand the complexities.
- 13) Under Other Business:
 - a. Mr. Myers moved, seconded by Vice Chair DeFelice, to reappoint Executive Director Dodge as the Commission representative on the College Tuition Savings Plan Advisory Commission.
 - b. Mr. Farrell moved, seconded by Mr. Huddleston, to approve the revised By-Laws to clarify what constitutes a quorum. "Number of members appointed at the time of each meeting" was added to the By-Laws. The motion passed without dissent.
 - c. Commission members agreed to hold a retreat following the September 3, 2009 meeting in order to cover the statutes, standards, and procedures used to evaluate degree and non degree-granting institutions. Jim Craiglow and Martha Parker will present for degree-granting institutions and Ms. West and Mr. Appleby will present for career schools. Commissioners were asked to plan for the retreat from 4:00 to 6:00 p.m.
 - d. Meeting dates for 2009/2010 are as follows:

Thursday, September 3, 2009 @ 2:00 p.m.
Thursday, December 10, 2009 @ 2:00 p.m.
Thursday, March 11, 2009 @ 2:00 p.m.
Thursday, May 14, 2010 @ 2:00 p.m.

Meetings will be held at the N.H. Higher Education Assistance Foundation Conference Center at 3 Barrell Court, Concord, N.H.
 - e. Item 7 (e), Jim Kennedy, Esq.'s presentation on the right-to-know law was not on the agenda and will be brought forward to the September 3, 2009 agenda.

The meeting adjourned at 3:10 p.m.